

## **COMMENTS**

### ***Status of the Application***

Receipt is acknowledged of a responsive amendment dated 14 December 2010.

### ***Election/Restriction***

Any restriction requirement made between inventions in the present application that requires all the limitations of the present allowable claims is hereby withdrawn. Please note, however, in view of the withdrawal of the restriction requirement, if any claim presented in a continuing application includes all the limitations of a claim that is allowable in a parent application, such claim may be subject to a double patenting rejection over the claims of the parent application. Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

Please note that all previous species elections are hereby withdrawn in view of the fact that the art search was extended to all species and no prior art was found that anticipates or renders obvious the instant claims in accordance with MPEP § 803.02. In view of the above noted withdrawal of the restriction requirement as to the linked species, applicant(s) are advised that if any claim(s) depending from or including all the limitations of the allowable generic linking claim(s) be presented in a continuation or divisional application, such claims may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no

longer applicable. See *In re Ziegler*, 44 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

Claims 10 and 13 are rejoined.

### ***Status of the Claims***

Claims 1-35 were pending. Claims 2-3, 5-6, 14-30 have been canceled. As reflected in the Examiner's Amendment below, applicant has canceled claim 4 without prejudice. Accordingly claims 1,7-13,31 are under consideration.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tom Wiseman on 12/15/2010. See attached interview summary.

The application has been amended as follows:

(i) Please amend claim 1 lines 1-2 to read:

-- A polymer particle, wherein the polymer particle comprises a polymer obtained by the polymerizing a monomer represented by the --

(ii) Please amend claim 1 penultimate line to read:

-- heteroatom(s), and wherein the polymer particle support specifically reacts with an aldehyde group --

(iii) Cancel claim 4

(iv) Change the dependencies of each of claims 7,9-11 and 13 to depend from claim 1.

(v) Please amend claim 7 line 2 to read:

--polymer is a copolymer of a monomer having the functional group (1) and --

(vi) Please amend claim 31 as follows:

The polymer particle according to claim 1 further comprising a support. ~~A support according to claim 1.~~

***Allowable Subject Matter***

Claims 1,7-13,31 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER M. GROSS whose telephone number is (571)272-4446. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low can be reached on 571 272 0951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher M Gross/  
Examiner, Art Unit 1639

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